

JOURNAL OF THE HOUSE.

Monday, May 24, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session.

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Gracious God, each day we try to serve You faithfully and constituents fairly, for they depend upon our thoughtful moral judgments in legislative and public policy matters. For a variety of often complex reasons our legislative options are limited. In Your kindness help us to recognize and implement the best possible choices open to us as we work together in addressing the needs of people and of our communities. Let human and spiritual values and the common good guide our choices as we resolve present pressing challenges and as we plan for the well-being of future generations.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Speaker, the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Message from the Governor.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to validating the proceedings of the annual town meeting in the town of Brookfield (House, No. 4756) was filed in the Office of the Clerk on Thursday, May 20.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Local Affairs and Regional Government. Sent to the Senate for concurrence.

Message from the Governor — Veto.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill authorizing the modification of the form of property tax billing in the town of Belmont [see House, No. 3981] (for message, see House, No. 4755) was filed in the Office of the Clerk on Thursday, May 20.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next sitting, the question being on passing the bill, notwithstanding the objections of the Governor.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Messrs. Ayers of Quincy, Driscoll of Braintree and Trimly of Milton) honoring Bella G. Adler;

Prayer.

Pledge of  
allegiance.

Brookfield,  
validate  
acts.

Belmont,  
property;  
tax  
modification.

Bella G.  
Adler.

Resolutions (filed by Mr. Coughlin of Dedham) congratulating Allen Michael Blackburn Costa upon his elevation to the rank of Eagle Scout;

Resolutions (filed by Representatives Jehlen of Somerville and Ciampa of Somerville) honoring Temple B'Nai Brith on the occasion of its one hundredth anniversary; and

Resolutions (filed by Mr. Marzilli of Arlington and other members of the House) honoring Stephen E. Collins;

Mr. DiMasi of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Marzilli of Arlington, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Mr. Jones of North Reading presented a petition (accompanied by bill, House, No. 4757) of Bradley H. Jones, Jr., Richard R. Tisel and Carol A. Donovan (by vote of the town) relative to exempting the position of chief of police of the town of Reading from the civil service law; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Costello of Newburyport, petition (subject to Joint Rule 12) of Michael A. Costello and other members of the House that certain consumer reporting agencies be required to provide consumer credit scores to consumers.

By the same member, petition (subject to Joint Rule 12) of Michael A. Costello and Steven A. Baddour for legislation to increase the borrowing authority of the Ring's Island Water District of Salisbury.

By Mr. Kocot of Northampton, petition (subject to Joint Rule 12) of Peter V. Kocot for legislation to authorize the installation of chair lifts in dental offices for the assistance of patients with physical limitations.

By Mr. Koutoujian of Waltham, petition (subject to Joint Rule 12) of Peter J. Koutoujian and other members of the General Court for legislation to make certain changes in the law relative to the registration of sex offenders.

By the same member, petition (subject to Joint Rule 12) of Koutoujian and Scott P. Brown for the appointment of a commission to make an investigation and study of the sex offender registry and the identification of sex offenders.

By Mr. Larkin of Pittsfield, petition (subject to Joint Rule 12) of Peter J. Larkin, Daniel E. Bosley, William Smity Pignatelli and Shaun P. Kelly that the State Board of Retirement be directed to pay certain benefits to Pamela J. Downing, the surviving spouse of district attorney Gerard D. Downing of Berkshire County.

By Mr. Travis of Rehoboth, petition (subject to Joint Rule 12) of Philip Travis, Mark J. Carron and James R. Miceli for adoption of resolutions by the General Court requesting the Governor (with the

Allen  
Michael  
Blackburn  
Costa.

Temple  
B'Nai  
Brith.

Stephen E.  
Collins.

Reading,  
police  
chief.

Consumers,  
credit  
scores.

Salisbury,  
water  
district.

Dental  
offices,  
chair  
lifts.

Sex  
offender  
registry.

Gerard  
Downing.

Marcellet  
Marshall,  
removal.

approval of the Council) to remove from office Margaret H. Marshall, Chief Justice of the Supreme Judicial Court.  
Severally, under Rule 24, to the committee on Rules.

*Reports of Committees.*

Criminal  
offender  
record  
information.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Cory Atkins for legislation to provide exemptions for certain school volunteers under the criminal offender record information law. Under suspension of the rules, on motion of Ms. Atkins of Concord, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Criminal Justice. Sent to the Senate for concurrence.

Dog and  
animal  
statutes.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on a petition, a Resolve providing for an investigation and study by a special commission on dog and animal statutes in the Commonwealth (House, No. 674). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Voting  
lists,  
study.

By Mr. Straus of Mattapoisett, for the committee on Election Laws, on Senate, Nos. 346, 357, 358 and 361 and House, Nos. 1856 and 3139, an Order relative to authorizing the committee on Election Laws to make an investigation and study of certain Senate and House documents concerning voting lists (House, No. 4752).

Campaign  
finance,  
study.

By the same member, for the same committee, on Senate, Nos. 351, 356, 365, 367 and 369 and House, Nos. 1457, 2228, 2586, 2778, 2779, 3503, 3505, 3642 and 3644, an Order relative to authorizing the committee on Election Laws to make an investigation and study of certain Senate and House documents concerning campaign finance (House, No. 4753).

Ballot  
questions,  
study.

By the same member, for the same committee, on Senate, No. 360 and House, Nos. 128, 514, 1266, 2949 and 3640, an Order relative to authorizing the committee on Election Laws to make an investigation and study of certain Senate and House documents concerning initiative petitions and ballot questions (House, No. 4754).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

Underground  
cable  
reimbursement  
schedule.

Report of the committee on Government Regulations, that the recommended House Bill relative to the underground cable reimbursement schedule (House, No. 1857) ought NOT to pass (under Joint Rule 10).

Under suspension of the rules, on motion of Mr. Bosley of North Adams, the bill was considered forthwith, the question being on rejection (under Joint Rule 10).

The House then refused to reject the bill; and it was placed in the Orders of the Day for the next sitting, the question being on passing it to be engrossed.

Underground  
cable  
reimbursement  
schedule.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government on the part of the House, that the following bills ought to pass:

Insurance  
committees.

Relative to Insurance Advisory Committees (House, No. 3696); and Relative to fiscal responsibility for public retirement systems (House, No. 4111);

Public  
retirement  
systems.

Severally referred, under Rule 33, to the committee on Ways and Means.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on a petition, a Bill relative to the breeding and sale of dogs (House, No. 1437).

Breeding  
and sale  
of dogs.

By the same member, for the same committee, on a petition, a Bill relative to the acceptance of grants by counties (House, No. 4049).

Counties,  
grants.

By the same member, for the same committee, on a petition, a Bill to reform the civil process system (House, No. 4056).

Civil process  
system.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government on the part of the House, that the Bill relative to reinstatement in public retirement systems (House, No. 4674) ought to pass; and

Retirement  
reinstatements.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill authorizing the Division of Fisheries and Wildlife to take or acquire conservation restrictions in and to lands of the town of Clinton (House, No. 1208) ought to pass.

Clinton,  
conservation  
restrictions.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill authorizing the funding of the production and modification of housing for people with disabilities (Senate, No. 734, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Disabled  
housing  
and court  
restrictions.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House, with the amendment previously recommended by the committee on Long-Term Debt and Capital Expenditures,—that the bill be amended by substitution of a Bill providing for the improvement of court facilities in the Commonwealth (House, No. 4751),—pending.

Under suspension of Rule 7A, on motion of Miss Gary of Dracut, the bill was read a second time forthwith. The amendment previously recommended by the committee on Long-Term Debt and Capital Expenditures, was adopted; and the substituted bill was ordered to a third reading.

Civil cases, one trial system.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a one trial system for civil cases (House, No. 732) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kujawski of Webster, the bill was read a second time forthwith; and it was ordered to a third reading.

*Engrossed Bills.*

Bill enacted.

The engrossed Bill providing for uniform regulatory standards for certain insurance companies (see House, No. 2823, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

Bill re-enacted.

The engrossed Bill relative to the Jacob Sears Memorial Library (see House, No. 3746, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was again passed to be re-enacted, in its amended form; and it was signed by the Speaker and sent to the Senate.

*Orders of the Day.*

Third reading bills.

**Senate bills**  
Relative to the jurisdiction over public parks in the city of Holyoke (Senate, No. 2090) (its title having been changed by the committee on Bills in the Third Reading); and

Relative to the procedures for municipalities and districts to accept statutes (Senate, No. 2218) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Third reading bill.

The House Bill providing that Emil DeFusco may continue employment with the police department of the city of Lawrence (House, No. 4682), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

*Order.*

Next sitting.

On motion of Ms. Wolf of Cambridge,—  
*Ordered*, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

At twenty-five minutes after eleven o'clock A.M., on motion of Mr. Linsky of Naick, the House adjourned, to meet tomorrow at eleven o'clock A.M.